

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Christie Legail Wayne

Docket No. 5:06-CR-33-2H

Petition for Action on Supervised Release

COMES NOW Linwood E. King, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Christie Legail Wayne, who, upon an earlier plea of guilty to Possession with Intent to Distribute More Than 500 Grams of Cocaine and More Than 5 Grams of Cocaine Base (Crack) and Aiding and Abetting, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on February 13, 2007, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 48 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation office.
2. The defendant shall provide the probation office with access to any requested financial information.
3. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
4. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
5. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
6. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Christie Legail Wayne was released from custody on July 24, 2009, at which time the term of supervised release commenced.

On August 6, 2010, a violation report was submitted to the court advising of the defendant testing positive for marijuana. Wayne was continued on supervision with exposure to drug treatment.

On March 16, 2011, a violation report was submitted to the court advising of the defendant being charged with misdemeanor Simple Affray in Wake County District Court. This charge was ultimately dismissed in state court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Wayne failed to report for random drug testing via the code-a-phone program on March 12, 2012; November 22, 2012; and February 11, 2013. Additionally, the defendant provided a urine screen on April 29, 2013, which tested positive for the use of marijuana. Wayne ultimately admitted to this officer that she had smoked marijuana approximately two weeks prior to this test being submitted. The defendant recognizes her need for assistance with drug abuse issues and has again been referred to actively participate in substance abuse treatment through First Step Services in Raleigh, North Carolina. Wayne will also continue with participation in our Surprise Urinalysis Program for monitoring of future drug abstinence. We are hopeful that this will assist Wayne in her recovery process. To further address this behavior, we are recommending that an active jail weekend be added to the defendant's conditions of release.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons from 6:00 p.m. Friday until 6:00 a.m. Monday for a period of (1) weekend, commencing as directed by the Bureau of Prisons and the Probation Office. She shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Senior U.S. Probation Officer

/s/Linwood E. King
Linwood E. King
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8682
Executed On: May 17, 2013

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ORDER OF COURT

Considered and ordered this 39th day of October 2013, and ordered filed and to be given effect in the above case.



Malcolm J. Howard
Senior U.S. District Judge